

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

**ONKAR SINGH,**

Plaintiff,

v.

**EXPERIAN INFORMATION  
SOLUTIONS, INC.,**

Defendant.

CAUSE NO:

**COMPLAINT**

**JURY DEMAND**

**JURISDICTION**

1 The jurisdiction of this Court attains pursuant to the FCRA, 15 U.S.C. Section 1681(p), and  
the doctrine of pendent jurisdiction. Further, this Court has supplemental jurisdiction under 28  
U.S.C. § 1367. Venue lies in the Western District of Washington as plaintiff's claims arose from  
acts of the defendant having impact therein.

/ / /

**COMPLAINT - 1**

**CHRISTOPHER E. GREEN**  
ATTORNEY AT LAW  
600 Puget Sound Plaza  
1325 Fourth Avenue  
Seattle, Washington 98101  
(206) 686-4558 Fax: (206) 686-2558  
WSBA No. 19410

**PRELIMINARY STATEMENT**

2 Plaintiff brings this action for damages based upon the defendant's violations of the Fair  
3 Credit Reporting Act, 15 U.S.C sections 1681 *et seq.* ("FCRA") and for pendent state claims  
4 brought as supplemental claims.

5  
6 3 Plaintiff is a resident of King County in the State of Washington and is a "consumer" as  
7 defined by section 1681a(c) of the FCRA. Entry of erroneous information on his credit report had  
8 impact on plaintiff in Washington.

9  
10 4 Experian Information Solutions, Inc., ("Experian"), is a foreign corporation licensed to do  
11 business in the State of Washington.

12 5 Experian is a consumer reporting agency, as defined in section 1681(f) of the FCRA,  
13 regularly engaged in the business of assembling, evaluating, and dispersing information concerning  
14 consumers for the purpose of furnishing consumer reports, as defined in section 1681a(d) of the  
15 FCRA, to third parties.

**FACTUAL ALLEGATIONS**

16  
17  
18 6 Experian mismerged plaintiff's credit report with another person or people who share the  
19 same last name.

20 7 On or about November 16 2004 plaintiff attempted to have the mismerge investigated, but  
21 Experian failed to comply with its obligation under the FCRA to investigate disputes properly  
22 submitted and to maintain its database(s) with the maximum possible accuracy. Exhibit  
23 1(redacted).

24  
25 8 Experian knew plaintiff and consumers like him would use that post office box to mail  
26 investigation requests.

1           9 On or about November 20, 2004 the letter was returned because the post office box was  
2 closed and Experian did not leave forwarding information. Exhibit 2 .

3           10 On or about December 15 2004 plaintiff mailed another investigation request to Experian.  
4 Experian failed to investigate his claim and told him his social security number did not match the  
5 social security number it has associated with him using its flawed matching methodology and/or  
6 algorithm. Exhibit 3 (redacted).  
7

8           11 Experian failed to complete its investigation of plaintiff's credit report.

9           12 Upon information and belief, Experian maintains its database of consumer data in such a  
10 flawed manner that it mismerged many people who have plaintiff's last name.  
11

12           13 Upon information and belief, no other national consumer reporting agency has the great  
13 problems Experian has with mismerging credit reports of those whose last name is "Singh" who  
14 live in South King County.

15           14 As a result of the false derogatory information reported by the Experian, plaintiff sustained  
16 actual damages and injury including damage to his credit rating (Exhibit 5, redacted), abstention  
17 from applying for credit, encumbered financial opportunities, and pecuniary loss.  
18

### 19                                   **STATEMENT OF CLAIMS AGAINST EXPERIAN**

20           15 In the entire course of its action, Equifax willfully and/or negligently violated the  
21 provisions of the FCRA in the following respects:  
22

23                   a) By willfully and/or negligently failing, in the preparation of the consumer reports  
24 concerning plaintiff, to follow reasonable procedures to assure maximum possible  
25 accuracy of the information in the reports.

26                   b) By willfully and/or negligently failing to comport with FCRA section 1681i.  
27  
28  
29

- 1 c) defaming plaintiff by publishing to third parties false information regarding his  
2 creditworthiness;  
3 d) invading the privacy of plaintiff;  
4 e) portraying plaintiff in a false light; and  
5 f) failing in its duty to prevent foreseeable injury to plaintiff.  
6

7  
8 **PRAYER FOR RELIEF**

9 THEREFORE, plaintiff prays that the Court grant the following relief as against

10 Defendants:

- 11  
12 a) actual damages;  
13 b) statutory damages;  
14 c) treble damages;  
15 d) punitive damages;  
16 e) attorney's fees; and  
17 f) costs.  
18

19 Respectfully submitted,

20 DATED this 1st day of March, 2005.  
21  
22

23   
24

25  
26 CHRISTOPHER E. GREEN  
Attorney for Plaintiff  
27  
28  
29

Sent By Certified Mail No. 7003 2260 0006 4234 4173 Return Receipt Requested

Onkar Singh  
**redacted**  
Seatac WA 98188

November 16, 2004

Experian Solutions, Inc.  
NCAC  
PO Box 9595  
Allen, TX 75013-9595

Dear Experian:

My social security number is **redacted** and date of birth is **redacted** My address is listed above.

I dispute multiple accounts and a bankruptcy filing you are listing on my credit report that are not mine. Apparently the accounts and bankruptcy belong to another person. A name Onkar S. Bhandal appears in my credit report prepared by you. I suspect you are combining his information into my report. I've been at the above address more than four years. Please conduct an investigation of my credit report so all these accounts with this other person are deleted. I cannot tell for sure all the accounts you placed in error because some of the account names are not familiar but that may be because the company may be reporting in a different name or changed its name since I opened an account. Also, I have several accounts with the same companies as the other person. To make it simple, all accounts reporting me with bad credit are from this other person. Any account listing his name, address, social security number etc. or which has late or missed payments associated with it should be taken off my report.

A few of the listings appearing in error are NCO Financial, First USA, US Bank (several), Bank of America (multiple), CBUSA Sears, Cavalry Portfolio, Providian, Direct Merchants Bank, Capital One, Sherman Acquisitions, Bally Total Fitness, Key Bank, RNB – Target, Emporium, RNB – Mervyns, Future Shop, CBUSA and Fred Meyer. Please look at the identifying information on each of the accounts listed on my credit report and delete the ones that do not match me. This should be simple and should have been done to begin with!

Please resolve this problem as soon as possible. Your reporting has caused me a lot of problems. You have embarrassed me. Your company is the only one reporting me as a bankrupt so it is obvious a problem with the way you do business!

I request that you describe how you conducted your investigation.

Onkar Singh

Onkar Singh  
19907 33rd Avenue South  
Seatac WA 98188



Experian Solutions, Inc.  
NCAC  
PO Box 9595  
Allen, TX 750

750 DO 1 B04 I 10 11/20/04  
RETURN TO SENDER  
: EXPERIAN BOX CLOSED  
UNABLE TO FORWARD  
RETURN TO SENDER

75013+3938 2010015421



Dec 21 04 12:17P

seatac

2065928680

P.1

Sent By Certified Mail No. 7002 0860 0004 2495 4119 Return Receipt Requested

Onkar Singh  
redacted  
Seatac WA 98188

December 15, 2004

Experian Solutions, Inc.  
701 Experian Parkway  
Allen TX 75013

Dear Experian:

My social security number is redacted and date of birth is redacted. My address is listed above.

I dispute multiple accounts and a bankruptcy filing you are listing on my credit report that are not mine. Apparently the accounts and bankruptcy belong to another person. A name Onkar S. Bhandal appears in my credit report prepared by you. I suspect you are combining his information into my report. I've been at the above address more than four years. Please conduct an investigation of my credit report so all these accounts with this other person are deleted. I cannot tell for sure all the accounts you placed in error because some of the account names are not familiar but that may be because the company may be reporting in a different name or changed its name since I opened an account. Also, I have several accounts with the same companies as the other person. To make it simple, all accounts reporting me with bad credit are from this other person. Any account listing his name, address, social security number etc. or which has late or missed payments associated with it should be taken off my report.

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Onkar Singh

**experian**

For faster service, visit [www.experian.com/consumer/index.html](http://www.experian.com/consumer/index.html) for instant online access to your personal credit report, or call 1 888 EXPERIAN (1 888 397 3742) to order your report for delivery by U.S. mail. To purchase a copy of your Experian credit score report call 1 888 322 5583.

**We need more information to process your recent request.**

If this box is checked,	please send us:
<input type="checkbox"/> The Social Security number you gave us does not match the identification information in our database.	<ul style="list-style-type: none"> <li>• proof of your Social Security number</li> <li>• a copy of one other form of identification (such as a driver's license, utility bill, bank or insurance statement, etc.)</li> <li>• this letter after you have completed all of the information</li> </ul>
<input type="checkbox"/> The Social Security number you gave us does not match the identification information in our database.	<ul style="list-style-type: none"> <li>• documentation from the Social Security Administration (Form SSA-L996 or any other valid SSA form that indicates your name and Social Security number)</li> <li>• a copy of one other form of identification (such as a driver's license, utility bill, bank or insurance statement, etc.)</li> <li>• this letter after you have completed all of the information</li> </ul>
<input type="checkbox"/> We cannot find any information in our database using the Social Security number you gave us.	<ul style="list-style-type: none"> <li>• proof of your Social Security number</li> <li>• a copy of one other form of identification (such as a driver's license, utility bill, bank or insurance statement, etc.)</li> <li>• a list of your creditors and account numbers</li> <li>• a copy of a past credit report from Experian or TRW, if available</li> <li>• this letter after you have completed all of the information</li> </ul>

☐ If this box is checked, we are returning all of your correspondence.

**Additional information we need**

- First name ONKAR Middle name/initial \_\_\_\_\_
- Last name SINGH Generation (JR, SR, II, III, etc.) \_\_\_\_\_
- Current mailing address \_\_\_\_\_
- City SEA TAC State WA ZIP code 98188
- Social Security number redacted
- Date of birth redacted
- Spouse's name redacted
- Spouse's Social Security number redacted
- Previous addresses for the past two years:

Street address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP code \_\_\_\_\_

Street address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP code \_\_\_\_\_

Who are you ordering a report for? ☒ yourself ☐ spouse ☐ both

**To charge your report to a credit card, fill out this information:**

Account holder's name \_\_\_\_\_

Address \_\_\_\_\_

Circle one: MasterCard VISA American Express Discover

Card number BY CITIBANK Expiration date redacted

EXPIRATION DATE \_\_\_\_\_

Send your request to: ☐ P.O. Box 2002, Allen, TX 75013 ☐ P.O. Box 2104, Allen, TX 75013  
☐ P.O. Box 9701, Allen, TX 75013 ☐ P.O. Box 9532, Allen, TX 75013

SSN Doesn't Match





1000 TECHNOLOGY DRIVE MS-760  
O'FALLON MO 63304

December 7, 2004

ONKAR SINGH  
redacted  
SEATTLE WA 98188

Dear ONKAR SINGH:

Thank you for your recent HOME EQUITY LINE OF CREDIT application. We regret to inform you that we are unable to approve your request for the following reason(s):

- BANKRUPTCY RECORDED ON CREDIT BUREAU REPORT
- SERIOUSLY DELINQUENT CREDIT OBLIGATIONS (PAID/UNPAID) ON CREDIT BUREAU
- CURRENT DEROGATORY TRADE INFORMATION ON CREDIT BUREAU

Citibank's decision was based in part upon information, not necessarily of a derogatory nature, from the consumer reporting agency(s) listed below. If you have questions about the information in your credit report, you should contact the credit reporting agency(s) directly within 60 days after receipt of this letter. (See the section on the reverse side of this letter titled "Information from Consumer Reporting Agencies" for more information.) The reporting agency(s) are: Equifax Information Services, 1550 Peachtree Street, H-13, Atlanta, GA 30309, (800)685-1111; Experian, 701 Experian Parkway, Allen TX 75013, (888)397-3742.

If your financial situation has changed or you can provide additional information, please call us at (866)398-2471, Monday through Friday, 8:00 AM - 8:00 PM or Saturday 8:00 AM - 3:00 PM Central Time.\*

Sincerely,

Terry Johnson  
Citibank, F.S.B.

Reference #104120109200000 (DT10-1 MD101)